

II. **Remarks**

Claims 1-10 were pending in this application. Claims 7-10 are allowed and claims 1-6 are rejected. The present amendment amends claims 1, 3, 6-7, and 9 to correct minor typographical errors and to more particularly point out and clarify certain aspects of Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-10 will be pending. Reconsideration of the application in view of the present amendments and the following remarks is respectfully requested.

**Rejections under 35 U.S.C. § 112**

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claim 1 has been amended to recite that the retractor has a belt shaft and a pretensioner drive. This amendment was in response to an objection that claim 1 recited the limitation "type" in "retractor of a type having a belt shaft and a pretensioner", wherein type is indefinite. Accordingly, Applicants believe that the amendment in claim 1 has cured the 35 U.S.C. § 112, second paragraph, rejections of claim 1 and its dependent claims 2-6.

Rejections under 35 U.S.C. § 102

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 6,513,747 issued to Lee ("Lee"). This rejection is respectfully traversed.

Applicants have amended claim 1 to further recite that the coupling latch is coupled with the inertial mass. The inertial mass rotates more slowly than the pretensioner drive when the pretensioner drive has been activated to wind the belt shaft thereby moving the coupling latch to the engagement position. Support for this amendment may be found in Applicants' application at paragraph [0016].

Lee discloses a safety belt retractor 100 including a reel 120 rotably mounted on a bracket 110 to allow the webbing of a seat belt to be retracted onto a reel shaft 122. *Lee* at Col. 6, lines 18-25. A pyrotechnic gas generating apparatus 160 generates force to reversibly rotate the reel 120 (e.g. during a crash of the vehicle), retracting the safety belt to restrain the driver or passenger on a seat. The force generated by the pyrotechnic gas generating apparatus 160 is transmitted to a piston 164 which strokes linearly through a cylinder 163 in response to the force. The piston 164 is coupled to a cable 174 which is wound around a clutch disk 210. *Id.* at Col. 7, lines 13-42. The clutch disk 210 is positioned, adjacent to the reel 120, on first coupling projections 231 having slanted surfaces 232 which contact sliding surfaces 217 of the clutch disk 210. Upon a sudden deceleration or crash of the vehicle, the pyrotechnic gas generating apparatus 160 generates gas to stroke the piston 164, pushing the cable 174 downward to rotate the clutch disk 210. Rotation of the clutch disk 210 causes the sliding surfaces 217 to slide across the slanted surfaces 232, freeing

the clutch disk 210 from the first coupling projections 231 and thereby engaging the rotating clutch disk 210 with the reel 120 to retract the seat belt webbing. *Id.* at Col. 9-10. Thus, the piston 164 strokes linearly downward to directly push the cable 174 which causes the clutch disk 210 to rotate and engage with the reel 120. Notably, the cable 174 does connect with the reel 120 and the piston 164 does not rotate. Moreover, there is no disclosure that the clutch disk 210 rotates more slowly than the piston 164 to move the cable 174 into a load-transmitting connection with the reel 120 or that the clutch disk 210 rotates faster than the reel 120 at the conclusion of winding of the reel 120 to move the cable 174 to release from the reel 120.

This is unlike Applicants' invention as recited in amended claim 1 where the inertial mass rotates more slowly than the pretensioner drive to move the coupling latch to the engagement position or where the inertial mass rotates faster than the belt shaft at the conclusion of the winding of the belt shaft to move the coupling latch to the release position. In that Lee lacks the noted elements of claim 1, Applicants respectfully submit the rejection based thereon should be withdrawn. Accordingly, Applicants believe claim 1 is in a condition for allowance.

Objections

Claims 2-6 were objected to as being dependent upon rejected claim 1. For the reasons stated in the foregoing paragraphs, Applicants believe claim 1 is in a condition for allowance. Accordingly, Applicants believe dependent claims 2-6 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date

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/Daniel P. Dailey/

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